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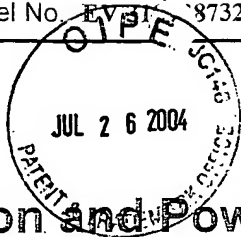
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Docket No.  
UC1.PAU.33

# Declaration and Power of Attorney For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled  
**METHOD AND APPARATUS FOR THE CONTROL AND MONITORING OF SHAPE CHANGE IN TISSUE**

the specification of which

(check one)

☒ is attached hereto.

☒ was filed on 01/22/2004 as United States Application No. or PCT International Application Number 10/762,639 and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

<u>60/441,292</u>	<u>01/21/2003</u>
(Application Serial No.)	(Filing Date)
<u>60/442,219</u>	<u>01/24/2003</u>
(Application Serial No.)	(Filing Date)
<u>60/442,100</u>	<u>01/23/2003</u>
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status)</u> (patented, pending, abandoned)
<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status)</u> (patented, pending, abandoned)
<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status)</u> (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

Daniel L. Dawes, Reg. No. 27,123

Richard L. Myers, Reg. No. 26,490

Joseph C. Andras, Reg. No. 33,469

Kenneth L. Sherman, Reg. No. 33,783

David L. Henty, Reg. No. 31,323

Vic Y. Lin, Reg. No. 43,754

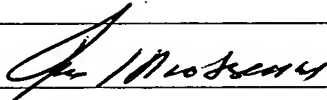
Timothy W. Fitzwilliam, Reg. No. 46,439

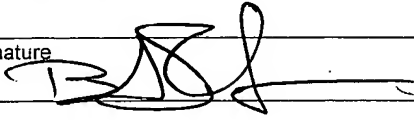
John W. Eldredge, Reg. No. 37,613

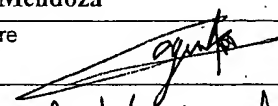
Michael F. Zarrabian, Reg. No. 39,886

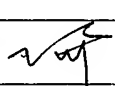
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Full name of sole or first inventor Dmitry E. Protsenko	
Sole or first inventor's signature 	Date 02-06-04
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Citizenship Russia	
Post Office Address 626 Rhine Lane Costa Mesa, CA 92626	

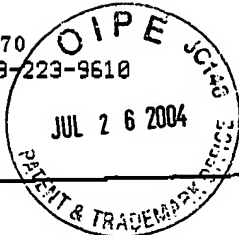
Full name of second inventor, if any Brian J.F. Wong	
Second inventor's signature 	Date 2 June 04
Residence 11 McCutcheon, Irvine CA 92612	
Citizenship USA	
Post Office Address	

Full name of third inventor, if any <b>Guillermo Aguilar-Mendoza</b>	6/10/04
Third inventor's signature 	Date
Residence 1358 Baldwin Dr. Corona, CA 92881	
Citizenship Mexican	
Post Office Address	

Full name of fourth inventor, if any <b>Ki-Hong Kevin Ho</b>	
Fourth inventor's signature 	June 5. 04
Residence 2811 JUDAH ST. SAN FRANCISCO, CA 94122	
Citizenship BRITISH	
Post Office Address	

Full name of fifth inventor, if any	
Fifth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	



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Page 1 of 4

Docket No.  
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### English Language Declaration

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**METHOD AND APPARATUS FOR THE CONTROL AND MONITORING OF SHAPE CHANGE IN TISSUE**

the specification of which

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☐ is attached hereto.

☒ Was filed on January 22, 2004 as United States Application No. or PCT International Application Number 10/762,639

and was amended on \_\_\_\_\_

(If applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

60/441,292 January 21, 2003  
(Application Serial No.) (Filing Date)

60/442,219 January 24, 2003  
(Application Serial No.) (Filing Date)

60/442,100 January 23, 2003  
(Application Serial No.) (Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

\_\_\_\_\_  
 (Application Serial No.)                      (Filing Date)                      (Status)  
 (patented, pending, abandoned)

(Application Serial No.)                  (Filing Date)                  (Status)  
 (patented, pending, abandoned)

(Application Serial No.)                  (Filing Date)                  (Status)  
 (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

Daniel L. Dawes, Reg. No. 27,123  
Richard L. Myers, Reg. No. 26,490  
Joseph C. Andras, Reg. No. 33,469  
Kenneth L. Sherman, Reg. No. 33,783  
David L. Henty, Reg. No. 31,323  
Vic Y. Lin, Reg. No. 43,754  
John W. Eldredge, Reg. No. 37,613  
Michael F. Zarrabian, Reg. No. 39,886

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Direct Telephone Calls to: *(name and telephone number)*  
Daniel L. Dawes - 949-223-9600

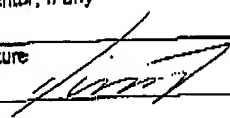
Full name of sole or first inventor <b>Dimitry E. Protsenko</b>	Date
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Citizenship <b>Russian Federation</b>	
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Full name of second inventor, if any <b>Brian J. F. Wong</b>	Date
Second inventor's signature	
Residence <b>11 McClintock Court, Irvine, California 92612</b>	
Citizenship <b>United States</b>	
Post Office Address <b>11 McClintock Court, Irvine, California 92612</b>	



Full name of third inventor, if any <b>Guillermo Aguilar-Mendoza</b>	Date
Third inventor's signature	
Residence	
Citizenship	
Post Office Address	

Full name of fourth inventor, if any <b>Ki-Hong Kevin Ho</b>	Date
Fourth inventor's signature	
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Citizenship	
Post Office Address <b>201 Santa Louisa, Irvine, California 92606</b>	

Full name of fifth inventor, if any <b>Sergio Diaz</b>	Date
Fifth inventor's signature 	<b>June 25/04</b>
Residence <b>C. MOTILVA BAJA 38, 9º B, PAMPLONA, NA (31006), SPAIN</b>	
Citizenship <b>MEXICAN</b>	
Post Office Address	

Full name of sixth inventor, if any	Date
Sixth inventor's signature	
Residence	
Citizenship	
Post Office Address	